

UNITED STATES OF AMERICA  
POSTAL REGULATORY COMMISSION  
WASHINGTON, DC 20268-0001

Before Commissioners:

Michael Kubayanda, Chairman;  
Ashley E. Poling, Vice Chairwoman;  
Mark Acton;  
Ann C. Fisher; and  
Robert G. Taub

Complaint of Happy Trails, Inc.

Docket No. C2021-1

ORDER GRANTING MOTION FOR EXTENSION OF TIME

(Issued June 2, 2021)

On April 23, 2021, Happy Trails Community Association, Inc. (Complainant), an Arizona-based nonprofit corporation, filed a complaint pursuant to 39 U.S.C. §§ 3662(a) and 403(c) concerning its “Transient Development” classification by the Postal Service.<sup>1</sup> On May 12, 2021, the Postal Service filed a motion to dismiss the Complaint.<sup>2</sup> In accordance with 39 C.F.R. § 3010.160(b), the Complainant’s original deadline for filing an answer to the Motion to Dismiss was May 19, 2021.

On May 19, 2021, Complainant filed a motion to extend deadline to respond to the Motion to Dismiss, requesting that its deadline to respond be moved to June 2, 2021.<sup>3</sup> The Commission granted the First Motion to Extend on May 19, 2021.<sup>4</sup>

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<sup>1</sup> Complaint Regarding the United States Postal Service’s Erroneous Classification of Complainant as a Transient Development, April 23, 2021 (Complaint).

<sup>2</sup> United States Postal Service’s Motion to Dismiss, May 12, 2021 (Motion to Dismiss).

<sup>3</sup> Complainant’s Consented to Motion to Extend Complainant’s Deadline to Respond to United States Postal Service’s Motion to Dismiss, May 19, 2021 (First Motion to Extend).

<sup>4</sup> Order Granting Motion for Extension of Time, May 19, 2021 (Order No. 5895).

On June 1, 2021, Complainant requested a second extension for its response to the Motion to Dismiss, seeking to extend the deadline to respond to the Motion to Dismiss by 7 additional days.<sup>5</sup> Complainant attests that the request is made in good faith and not for purposes of delay. Second Motion to Extend at 2. It represents that the Postal Service does not oppose the extension of time. *Id.*

The Commission grants the Second Motion to Extend to provide Complainant additional time to answer the Motion to Dismiss. The Commission extends the filing deadline by 7 days. The Complainant shall file any answer to the Motion to Dismiss on or before June 9, 2021.

*It is ordered:*

1. Complainant's Consented to Motion to Extend Complainant's Deadline to Respond to United States Postal Service's Motion to Dismiss (Second Request), filed June 1, 2021, is granted.
2. The deadline for filing an answer to the Postal Service's Motion to Dismiss, filed May 12, 2021, is extended to June 9, 2021.

By the Commission.

Erica A. Barker  
Secretary

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<sup>5</sup> Complainant's Consented to Motion to Extend Complainant's Deadline to Respond to United States Postal Service's Motion to Dismiss (Second Request), June 1, 2021, at 2 (Second Motion to Extend).